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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA
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7 In the Matter of COLORADO
8 BREEZE, LLC, a Nevada Limited
9 Liability Company, as owner of the
10 vessel LOOSEY LU, official number
11 1189035, for Exoneration from or
12 Limitation of Liability
13

Case No.

**PROPOSED] ORDER DIRECTING
ISSUANCE OF NOTICE AND
ORDER, AND PUBLICATION
THEREOF**

14
15 WHEREAS, a complaint is being filed simultaneously with this [Proposed]
16 Order by which Plaintiff-in-Limitation COLORADO BREEZE, LLC., as owner of
17 vessel LOOSEY LU, official number 1189035, (“VESSEL”), wherein Plaintiff-in-
18 Limitation seeks exoneration from or limitation of liability for any losses, injuries,
19 and/or damages occasioned as a result of the VESSEL voyage on or about July 22,
20 2017 on the Colorado River in the vicinity of Blakenship Bend, Arizona; and

21 WHEREAS, the complaint having stated the facts and circumstances upon
22 which said exoneration or limitation is claimed; and

23 WHEREAS, it appearing that the claims that may be made against
24 Plaintiffs-in-Limitation may be in amounts which will exceed the value of the
25 interest of Plaintiffs-in-Limitation in the VESSEL for losses, injuries, and/or
26 damages said to have been occasioned or incurred in consequence of the aforesaid
27 voyage; and

28 WHEREAS, the surety for Plaintiffs-in-Limitation has given security for
damages in costs herein;

1 AND NOW THEREFORE, on application of Browne & Green LLC,
2 counsel for Plaintiff-in-Limitation, it is hereby:

3 ORDERED that the Clerk of this Court issue a notice forthwith, in the form
4 submitted with this Order, to all persons or entities asserting claims with respect to
5 which the complaint seeks exoneration or limitation, admonishing them to file
6 their respective claims with the Clerk of the Court and serve attorneys for
7 Plaintiffs-in-Limitation with a copy thereof within 30 days of the issuance of the
8 notice;

9 AND IT IS FURTHER ORDERED that public notice shall be given by
10 publication thereof in the newspaper known as “Las Vegas Review Journal,” and
11 that such notice shall be published once a week for four consecutive weeks prior
12 to the date affixed herein for filing of claims;

13 AND IT IS FURTHER ORDERED that not later than the date of the second
14 publication of said notice, Plaintiffs-in-Limitation shall mail a copy of said notice
15 to every person or concern, if any, known to have made any claim against
16 Plaintiff-in-Limitation as a result of the incident involving the VESSEL on or
17 about July 22, 2017;


18 AND IT IS FURTHER ORDERED that the continued prosecution of any
19 and all suits, actions or proceedings which may already have begun against
20 Plaintiffs-in-Limitation in any court whatsoever to recover damages arising out of,
21 or occasioned by, or consequent upon the aforesaid voyage or trip of the VESSEL
22 on or about July 22, 2017, and institution or prosecution of any suits, actions or
23 legal proceedings of any nature description whatsoever in any court wheresoever,
24 except in this proceeding for exoneration from or limitation of liability, against
25 Plaintiffs-in-Limitation, in respect of any claim or claims arising out of the
26 aforesaid voyager trip on which the VESSEL was then engaged, or otherwise
27 subject to limitation proceeding, be and the same are hereby are stayed and
28 restrained;

AND IT IS FURTHER ORDERED that a certified copy of this order as a restraining order shall be served by certified mail, return receipt requested, on the person or persons, or entity or entities, to be restrained, or to their respective attorneys or representatives;

AND IT IS FURTHER ORDERED that the publication and mailing of copies of the Notice to Claimants, required by Rule F(4), Supplemental Rules for Certain Admiralty and Maritime Claims, Federal Rules of Civil Procedure, shall constitute due notice to all persons asserting claims with respect to which said complaint seeks limitation or exoneration.

IT IS SO ORDERED.

Dated: February 27, 2019

By: 
RICHARD F. BOULWARE, II
 United States District Judge
 DISTRICT OF NEVADA